

Exhibit “HHH” to Amended Verified Petition

130-40-30.32 PUBLIC PASSENGER TRANSPORTATION STATION OR TERMINAL:

All loading or unloading locations for public transportation vehicles shall be off-street.

130-40-30.33 PUBLIC UTILITY BUILDING, PLANT, STRUCTURE OR STORAGE

YARD:

- (a) All buildings, structures or equipment installations, exclusive of transmission lines shall be at least fifty (50) feet from any property line.
- (b) All open storage and equipment areas shall be adequately fenced and screened.

130-40-30.34 PUBLIC UTILITY STRUCTURE OR RIGHT-OF-WAY NECESSARY TO SERVE AREAS WITHIN THE MONTGOMERY COMMUNITY EXCLUDING BUSINESS OFFICE, REPAIR OR STORAGE OF EQUIPMENT:

- (a) All buildings, structures or equipment installations, exclusive of transmission lines shall be at least fifty (50) feet from any property line.
- (b) Outdoor installations shall be adequately fenced and screened.

130-40-30.35 QUARRY: MINING, LOADING, HAULING AND/OR PROCESSING OF SAND, GRAVEL, SHALE, FILL OR TOPSOIL:

- (a) The proposal shall have a particular time limit for completion of either the entire operation or of each stage of the entire operation.
- (b) The proposal shall include a specific method for rehabilitating the site or portions of the site related to each stage of the operation.
- (c) The proposal shall indicate how adjacent properties and the public will be protected from the hazards of the operation, both in terms of on-site activity and off-site traffic generated by that activity.
- (d) Coordination with NYSDEC permit process be required for all mining operations that otherwise require a permit from the NYSDEC. Any applicant in need of a DEC permit must file copies of all applications, plans, correspondence, etc. with the Planning Board within seven (7) days of the filing of the same with the DEC. All Notices from the DEC, likewise, shall be filed with the Planning Board by the applicant within seven (7) days of receipt.

130-40-30.36 RECYCLING HANDLING AND RECOVERY FACILITIES INCLUDING

- A. COMPOSTING OPERATIONS
- B. RECYCLABLE HANDLING AND RECOVERY FACILITIES INCLUDING POST-COLLECTION SEPARATION FACILITIES
- C. WASTE TIRE STORAGE AND PROCESSING FACILITIES
- D. CONSTRUCTION AND DEMOLITION DEBRIS PROCESSING FACILITIES
- E. WASTE TRANSFER STATIONS
- F. WOOD-CHIPPING FACILITIES

A. GENERAL REQUIREMENTS

1. This Local Law specifically excludes any of the facilities listed above which may be owned and/or operated by the Town of Montgomery.
2. All other recycling uses are excluded under this Local Law and, therefore, are not permitted.